

BEFORE NANCY KEENAN, SUPERINTENDENT OF PUBLIC INSTRUCTION
STATE OF MONTANA

* * * * *

MARY JEAN DONOHUE, PARENT)	
OF SHANE DONOHUE,)	
)	
Appellant,)	OSPI 232-93
)	
vs .)	
)	<u>ORDER</u>
TRUSTEES, JEFFERSON COUNTY)	
HIGH SCHOOL DISTRICT NO. 2)	
)	
Respondents.)	

* * * * *

Jefferson County Superintendent Sandra Streib dismissed Mary Jean Donohue's appeal of the expulsion of Shane Donohue by the Jefferson County High School [JCHS] Trustees because the appeal was filed more than 30 days after the Trustees' final decision.

On August 28, 1993, the JCHS Trustees held a closed hearing to consider expelling Shane Donohue. His parents submitted written motions that were denied and a signed statement, dated August 27, 1993, that they were removing their son from school. The trustees announced their final decision to expel Shane Donohue in an opening meeting but did not issue a written decision.

The Donohues appealed to the county superintendent on December 4, 1993. She dismissed the appeal for lack of jurisdiction on December 20, 1994. On January 4, 1994, the Donohues appealed to this superintendent.

STANDARD OF REVIEW

The county superintendent's decision to dismiss the appeal is a conclusion of law. On review of orders dismissing appeals, this

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CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on this 27th day of April, 1995, a true and exact copy of the foregoing Order was mailed, postage prepaid, to the following:

Mary Jean Donohue
1600 Bond Road
Dillon, MT 59759

Charles E. Erdmann
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P.O. Box 5418
Helena, MT 59604-5418



Pat Reichert, Paralegal
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